



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

May 18, 1995

Mr. Gary W. Smith  
City Attorney  
P.O. Box 1049  
Greenville, Texas 75403-1049

OR95-285

Dear Mr. Smith:

You have asked whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 31759.

The City of Greenville (the "city") received a request for a police report concerning a juvenile offender. You contend that the report is protected from disclosure under section 552.101 of the Government Code in conjunction with section 51.14(d) of the Family Code. Section 552.101 excepts from disclosure information "considered confidential by law, either constitutional, statutory, or by judicial decision." Section 51.14(d) provides a statutory basis of confidentiality for information about juvenile offenders:

Except as provided by Article 15.27, Code of Criminal Procedure, and except for files and records relating to a charge for which a child is transferred under Section 54.02 of this code to a criminal court for prosecution, the law-enforcement files and records [concerning a child] are not open to public inspection nor may their contents be disclosed to the public, but inspection of the files and records is permitted by:

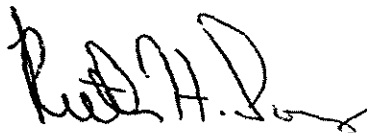
- (1) a juvenile court having the child before it in any proceeding;
- (2) an attorney for a party to the proceeding; and
- (3) law-enforcement officers when necessary for the discharge of their official duties.

Section 51.14(d) requires that information in police records concerning juvenile offenders be treated differently than other law enforcement information so as to protect the identity of juvenile offenders. Open Records Decision No. 394 (1983) at 3. In Open Records Decision No. 181 (1977), this office determined that section 51.14(d) provides an exception from disclosure for police reports that identify juvenile offenders or furnish a basis for their identification. In Open Records Decision No. 394 (1983) at 3, this office stated that when information about juvenile offenders is contained in police records that also contain information about adult offenders, such as jail register logs, the names of the juveniles and any other identifying information about the juveniles must be withheld from disclosure. *See also* Open Records Decision No. 628 (1994) at 6 (Fam. Code § 51.14 relates only to juvenile offenders and thus has no bearing on release of information relating to identity of juvenile crime victims).

You indicate that the alleged offense did not relate to a charge for which the juvenile was transferred under section 54.02 to a criminal court for prosecution. You also state that the requestor is not one of the parties listed in section 54.14(d) to whom this information can be released. Under these circumstances, the requested offense report may not be disclosed.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination under section 552.301 regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Ruth H. Soucy  
Assistant Attorney General  
Open Government Section

RHS/LRD/rho

Ref.: ID# 31759

Enclosures: Submitted documents

cc: Mr. C. D. Peavey  
4224 King # 216  
Greenville, Texas 75401  
(w/o enclosures)